

Recap of July 13 study session

Changes to draft:

| Section | PC proposed change | Action | Comment |
|--|--|---------------------------|---|
| chart 20.25E.050.A | <input type="checkbox"/> Delete footnote (3) from chart 20.25E.050.A next to Maximum Building Height | Deleted footnote | <i>Benefits user by compiling relevant information in one place. Included to allow submittal of SMP without Land Use Code</i> |
| 20.25E.050.B.3 Disturbance in Shoreline Structure Setback | <input type="checkbox"/> Delete standard | Deleted 20.25E.050.B.3 | |

PARKING LOT-Reserved for future discussion:

1. Phantom Lake standards
2. Usefulness of chart in .050
3. Retain section/is it useful? Come back after review other sections
4. Setback dimensions
5. Phantom Lake, including aspects of wetland regulations
6. Lake Sammamish OHWM
7. Phantom Lake overall

Recap from July 27 study session

Changes to draft:

| Section | PC proposed change | Action | Comment |
|-------------------------------------|---|--------|--|
| .050.C Shoreline Impervious Surface | <input type="checkbox"/> Delete detail and simply reference out to 20.20.460 for applicable standards | | <i>Benefits user by compiling relevant information in one place. Included to allow submittal of SMP without Land Use Code.</i> |
| .050.D Maximum Building Height | <input type="checkbox"/> See Parking Lot issues | | Ensures consistency with LUC requirements and SMA requirements |

Attachment B-
Detailed list of Planning Commission Progress and Direction

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|---------------------------------------|---|--|--|
| .060.B.1 No Net Loss Required | <input type="checkbox"/> Revise to “Shoreline uses and development are required to ensure no net loss of ecological functions and processes.” All other language deleted. | | Detail was originally added to provide clarity of what ecological functions and processes were. |
| .060.C Technical Feasibility Analysis | <input type="checkbox"/> Clarify this section does not apply to residential and that the use charts in 20.25E.030 describe when the feasibility analysis is required. | | |
| .060.D Mitigation Sequencing | <input type="checkbox"/> Rename to “Mitigation Requirements and Sequencing” | | |
| .060.D.1 Mitigation Plan Requirements | <input type="checkbox"/> Add clarification of when mitigation plans are triggered (i.e. SCUP, Variance, Special Shorelines Report) | | May need to rename applicability. Clarify that the mitigation plan is required for other actions throughout the code such as menu option but that the sequencing provision only applies to the SCUP, Variance and Special Shorelines Report. |
| .060.D.5.c Timing of Work | <input type="checkbox"/> Clarify section so language is clear this pertains to installation of the mitigation and not monitoring/performance. | | |
| .060.D.5.d Monitoring Program | <input type="checkbox"/> Revise provision to include 1 year standard for residential development and 3/5 year standard for nonresidential (modeled after critical areas provisions 20.25H.220.D). | | DOE comment that 5 years is not adequate. |
| .060.D.5.g Mitigation for City | <input type="checkbox"/> See Parking Lot issues | | |

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| Park Projects | | | |
| .060.D.5.h Restoration for Areas of Temporary Disturbance | <input type="checkbox"/> Clarify provision refers to temporary construction disturbance | | |

PARKING LOT- Reserved for future discussion:

1. Section D Height- Definition of substantial number of residences- case law background
2. .060.D.5.g Mitigation for City Parks Projects. Staff to provide Commission with analysis of three possible alternatives for language and pros/cons for each of the following alternatives: Existing draft language, Phasing of mitigation with a Parks Master Plan, and Strike draft provision.

Recap from September 14, 2011 study session

Changes to draft:

| Section | PC proposed change | Action | Comment |
|--|--|--------|---------|
| E. Requirements Applicable to Development and Uses in Shoreline Jurisdiction | No consensus. Leave as is for now. | | |
| F. Archeology | No changes | | |
| G. Critical Areas | Clarify the shorelines of Lake WA and Sammamish are not critical areas- staff to bring back language to add to this section | | |
| H. Accessory Parking | No changes | | |
| I. Public Access | Revise all 9 to 10 Nov. 3 rd PC memo from legal department to PC 3. When not required: Residents- modify f. Overwater Structures associated with Projects that Require Public Access. Public access on over- | | |

Attachment B-
Detailed list of Planning Commission Progress and Direction

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|--|---|--|--|
| | <p>water structures located on public aquatic lands shall be provided and may include common use of walkway areas.</p> <p>Moorage facilities with the capacity to serve nine (9) or more vessels shall provide a publicly accessible area of at least 10 percent of the total square footage of the overwater structure, but not less than 200 square feet at or near the end of the structure. Marinas with the capacity to serve 20 or more vessels may restrict access to specific moorage areas for security purposes as long as an area of at least 10 percent of the overwater structure is available for public access and a public access area of at least 200 square feet is provided at or near the end of the structure. Public access areas may be used in common by other users, but must provide generally unobstructed views of the water.</p> | | |
| | | | |

October PC retreat-SMP discussion

Departure from line-by-line approach to reviewing SMP Public Hearing Draft. PC decides to take an “Issue Based” approach to reviewing SMP with the goal of directing staff to draft new code to achieve current PC objectives for the program. Identified vegetation conservation as first issue to be discussed.

Recap from October 26, 2011 study session

PC confirmed issue based approach rather than line by line review and accepted the topics listed in the staff memo as those items to be covered in their new process.

Summary of Planning Commission Direction from October 26th Meeting

Regarding vegetation conservation, the Commission directed staff to make the following changes to the Public Hearing Draft SMP:

1. Delete the requirement for a tailored vegetation conservation area adjacent to OHWM. This approach is similar to that provided in the Mercer Island City Council resolution expressing an intent to adopt an update of the Shoreline Master Program and authorizing submittal of the proposed Master Program to the Department of Ecology.
2. Rely on citywide tree retention standards and critical areas regulations, located at LUC 20.20.900 and LUC 20.25H respectively. This approach is also similar to that provided in the Mercer Island draft and uses a city-wide standards rather than geographically specific standards that apply only within shoreline jurisdiction.
3. Remove specific standards for routine maintenance near OHWM (similar to Mercer Island).

In addition to vegetation conservation, the Commission also discussed setback dimensions and directed staff to:

1. Eliminate the 50-foot setback and establish a 25-foot setback in its place.

Recap from December 14, 2011 study session

No action noted in meeting minutes.

Recap from January 25, 2012 study session

At the January 25 meeting, the Planning Commission directed staff to make two broad changes to the non-residential sections: (1) clarify which sections of the Shoreline Master Program (SMP) apply during permit review and which are non-regulatory components required by state law to be included in the submittal to Ecology; and, (2) make the definitions easier to find (add a tab), and consider moving to the beginning of the regulatory sections of the document. The Commission also suggested several specific changes:

1. Add a definition of Aquaculture.
2. Clarify how the various sections relate to one another; for example, what sections apply to residential development and uses and what sections do not.
3. Rely more on the Shoreline Management Act (SMA) for guidance when considering direction given in the Washington Administrative Code (WAC) SMP Guidelines even to the extent of including a reference citation to the RCW in addition to the WAC Guideline.

4. Further clarify that maps included in the Draft SMP submittal are for reference only and that a site specific map or survey is required for permitting.
5. Modify 20.25E.100.C.3 clarify when an application is complete for vesting purposes.